

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
SEPTEMBER 13, 2019**

(Published September 21, 2019, in *Finance and Commerce*)

CALL TO ORDER

Council President Bender called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Cam Gordon, Steve Fletcher, Phillipe Cunningham, Jeremiah Ellison, Abdi Warsame, Lisa Goodman, Andrea Jenkins, Alondra Cano, Lisa Bender, Jeremy Schroeder, Linea Palmisano.

Absent – Council Member Andrew Johnson.

On motion by Jenkins, the agenda was adopted.

On motion by Jenkins, the minutes of the regular meeting of August 23, 2019, were accepted.

On motion by Jenkins, the petitions, communications, and reports were referred to the proper Committees.

The following actions, resolutions, and ordinances were signed by Mayor Jacob Frey on September 18, 2019. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

REPORTS OF STANDING COMMITTEES

The ECONOMIC DEVELOPMENT & REGULATORY SERVICES Committee submitted the following report:

On behalf of the Economic Development & Regulatory Services Committee, Goodman offered Resolution 2019R-253 giving preliminary and final approval to and authorizing the issuance of up to \$5,500,000 in 501 (c)(3) Bank Qualified Bank Direct tax-exempt revenue bonds for Minnesota Hillel for a total upgrade of the facility located at 1521 University Ave SE, and referred the matter to the Minneapolis Community Development Agency (MCDA) Board of Commissioners to consider passage of a resolution authorizing the bond issuance.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-253

By Goodman

Giving preliminary and final approval to and authorizing the financing of a project on behalf of Minnesota Hillel, 1521 University Ave SE, and authorizing the issuance of a revenue obligation of the Minneapolis Community Development Agency.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended, the City Council of the City of Minneapolis (the “City”) established the Minneapolis Community Development Agency (the “Agency”) and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, Minnesota Hillel, a Minnesota nonprofit corporation (the “Borrower”), has determined to finance the renovation of a building located at 1521 University Avenue SE in the City for use as a Jewish student center (the “Project”); and

Whereas, the Borrower has requested the assistance of the Agency in undertaking such financing; and

Whereas, on the date hereof, the Board of Commissioners of the Agency intends to adopt a resolution (the “Note Resolution”) giving approval to the financing of the Project and the issuance of a revenue obligation, in one or more series, as a taxable or tax-exempt obligation (the “Note”), in the aggregate principal amount not to exceed \$5,500,000, the proceeds of which will be loaned to the Borrower for the purposes of financing the Project, paying costs of issuance of the Note, and funding any required reserves;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the terms of the Note Resolution are incorporated herein by reference.

Be It Further Resolved that the City Council hereby gives preliminary and final approval to the issuance of the Note by the Agency in the aggregate principal amount not to exceed \$5,500,000.

Be It Further Resolved that the Note is hereby designated a “Program Bond” and is determined to be within the “Program,” as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 1997R-402 of the City adopted December 12, 1997.

Be It Further Resolved that this resolution shall take effect and be in force from and after its approval and publication. Pursuant to Chapter 4, Section 9, of the Charter of the City, only the title of this resolution and a summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official paper of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0727

The Minneapolis City Council hereby approves the application for Bar Brava, 1914 WASHINGTON AVE N Minneapolis, MN, submitted by Bar Brava LLC, BLWine, LIC381036, for an On Sale Wine with Strong Beer, No Live Entertainment License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

COUNCIL ACTION 2019A-0728

The Minneapolis City Council hereby:

1. Approves the application for One Fermentary & Taproom, 618 5TH ST N Minneapolis, MN, (Ward 5) submitted by One Minneapolis Brewing Co LLC, BLLiquor, LIC379874, for an On-Sale Liquor (Taproom) with Sunday Sales, General Entertainment License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.
2. Approves the application for One Fermentary & Taproom, 618 5TH ST N Minneapolis, MN, submitted by One Minneapolis Brewing Co LLC, BLBrewery, LIC382052, for an Off-Sale Malt Liquor (Growler) License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

COUNCIL ACTION 2019A-0729

The Minneapolis City Council hereby approves the following application for a Liquor License, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. Hilton Minneapolis, 1001 MARQUETTE AVE Minneapolis, MN, (Ward 7) submitted by Hilton Management LLC, BLLiquor, LIC382160

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

COUNCIL ACTION 2019A-0730

The Minneapolis City Council hereby approves the following applications (5) for Liquor License Renewals, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. DINKYTOWN WINE & SPIRITS, 1412 5TH ST SE Minneapolis, MN, (Ward 3) submitted by DINKYTOWN WINE & SPIRITS INC, BLLiqOff, LIC54091
2. LIBERTINE, 3001 HENNEPIN AVE Minneapolis, MN, (Ward 10) submitted by LAKE STREET CAFETERIA, BLLiquor, LIC77530
3. STICKS, 708 1ST ST N Minneapolis, MN, (Ward 3) submitted by LEE CONSULTANTS LTD, BLLiquor, LIC78364
4. UKRAINIAN AMERICAN COMMUNITY CENTER, 301 MAIN ST NE Minneapolis, MN, (Ward 3) submitted by UKRAINIAN AMERICAN COMMUNITY CENTER INC, BLLiquor, LIC79136
5. ZIPPS LIQUORS, 2618 FRANKLIN AVE E Minneapolis, MN, (Ward 6) submitted by ZIPPS LIQUOR STORE INC, BLLiqOff, LIC54005

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

COUNCIL ACTION 2019A-0731

The Minneapolis City Council hereby approves the following applications (2) for Gambling Licenses, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. MN Basket Weavers Guild, 3000 UNIVERSITY AVE SE Minneapolis, MN, submitted by MN Basket Weavers Guild, BLGeneral, LIC381758
2. Twin Cities Wrestling Club INC, 4601 LYNDAL AVE N Minneapolis, MN, submitted by Twin Cities Wrestling Club INC, BLGeneral, LIC382566

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

COUNCIL ACTION 2019A-0732

The Minneapolis City Council hereby approves the following applications (2) for Gambling License Renewals, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. Fraternal Order Of Eagles, 965 CENTRAL AVE NE Minneapolis, MN, submitted by Fraternal Order Of Eagles, BLGeneral, LIC370431
2. Minneapolis Riverview Lions, 229 WEST BROADWAY Minneapolis, MN, submitted by Minneapolis Riverview Lions, BLGeneral, LIC370631

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

COUNCIL ACTION 2019A-0733

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement for Provision Community Restaurant, 2940 HARRIET AVE Minneapolis, MN, (Ward 10) submitted by Provision Community Restaurant, BLFood, LIC380858, allowing the applicant to obtain an Institutional Food License, subject to adherence with the condition contained therein, which is as follows:

1. The licensee shall only prepare and serve food for a maximum of two pre-determined meal times a day and cannot be continuously open for business.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

COUNCIL ACTION 2019A-0734

The Minneapolis City Council hereby authorizes increases to master contracts with two eligible providers in a combined total amount of \$2 million, not to exceed \$9,500,000, for employment and training services as follows:

1. Contract C-40748 with Minnesota Department of Employment and Economic Development, increasing by \$1,000,000, for a new maximum total of \$6,000,000
2. Contract C-40476 with Jewish Family and Children's Service of Minneapolis, increasing by \$1,000,000, for a new maximum total of \$3,500,000

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

The ELECTIONS & RULES Committee submitted the following report:

On behalf of the Ways & Means Committee, Ellison offered Resolution 2019R-254 designating and prescribing polling places together with election precincts and the boundaries thereof, inclusive of two new precincts in Wards 3 and 10 in the City of Minneapolis.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-254

By Ellison

Designating and prescribing polling places together with election precincts and the boundaries thereof, inclusive of two new precincts in Wards 3 and 10 in the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the election precincts and boundaries thereof be adjusted and amended as designated and prescribed on the maps, as set forth in File No. 2019-01008, pursuant to Minnesota Statutes, §204B.14., subd. 3(d), and Minneapolis City Charter, Article 2, Section 2.4.

Be It Further Resolved that the following polling places be designated as listed below:

FIRST WARD

PRECINCT—

- 1 – River Village, 2919 Randolph St NE
- 2 – Waite Park Recreation Center, 1810 34th Ave NE
- 3 – Northeast Middle School, 2955 Hayes St NE (enter via side door #4)
- 4 – Audubon Park Recreation Center, 1320 29th Ave NE
- 5 – Windom Park NE Recreation Center, 2251 Hayes St NE
- 6 – Parker Skyview Highrise, 1815 Central Ave NE
- 7 – Van Cleve Park Recreation Center (Gym), 901 15th Ave SE
- 8 – Holland Highrise, 1717 Washington St NE
- 9 – Edison High School (Gym lobby), 2030 Monroe St NE
- 10 – Columbia Manor/Golf Club, 3300 Central Ave NE

SECOND WARD

PRECINCT—

- 1 – Holy Trinity Lutheran Church, 2730 31st St E
- 2 – Sullivan Community School, 3100 28th St E
- 3 – Van Cleve Park Recreation Center (Multipurpose), 901 15th Ave SE
- 4 – Weisman Art Museum, 333 River Parkway E
- 5 – Pratt Community School, 66 Malcolm Ave SE

- 6 – St. Frances Cabrini Church, 1500 Franklin Ave SE
- 7 – Augsburg University Christensen Center, 720 22nd Ave S
- 8 – Brackett Park Recreation Center, 2728 39th Ave S
- 9 – Matthews Park Recreation Center, 2318 29th Ave S
- 10 – Grace University Lutheran Church, 324 Harvard St SE
- 11 – Longfellow High School, 3017 E 31st St

THIRD WARD

PRECINCT—

- 1 – University Lutheran Church of Hope, 601 13th Ave SE
- 2 – First Congregational Church of MN, 500 8th Ave SE
- 3 – Marcy Open School, 415 4th Ave SE
- 4 – Spring Manor Highrise, 828 Spring St NE
- 5 – Webster Elementary School, 425 5th St NE
- 6 – East Side Neighborhood Services, 1700 2nd St NE
- 7 – Soltvå Apartments, 701 2nd St N
- 8 – River Towers Condominiums, 15 1st St S
- 9 – Open Book, 1011 Washington Ave S
- 10 – National Guard Armory, 1025 Broadway St NE
- 11 – Neu Neu Event Center, 514 3rd St N, Ste 101 ++
- 12 – Minneapolis Central Library, 300 Nicollet Mall
- 13 – University Lutheran Church of Hope, 601 13th Ave SE ##

FOURTH WARD

PRECINCT—

- 1 – Creekview Park Recreation Center, 5001 Humboldt Ave N
- 2 – Jenny Lind Elementary School, 5025 Bryant Ave N (enter/park on Dupont Ave N side)
- 3 – Cityview Community School, 3350 4th St N
- 4 – Loring Community School, 2600 44th Ave N
- 5 – Folwell Park Recreation Center, 1615 Dowling Ave N
- 6 – Hamilton Manor Highrise, 1314 44th Ave N
- 7 – Mastery School, 4021 Thomas Ave N ^^
- 8 – Lucy Craft Laney School, 3333 Penn Ave N ^^

FIFTH WARD

PRECINCT—

- 1 – Urban Research & Outreach Center (UROC), 2001 Plymouth Ave N
- 2 – North Regional Library, 1315 Lowry Ave N
- 3 – North Commons Park Recreation Center, 1801 James Ave N
- 4 – North Point Health & Wellness Center, Inc., 1256 Penn Ave N
- 5 – Franklin Middle School, 1501 Aldrich Ave N
- 6C – Heritage Commons at Pond's Edge, 350 Van White Memorial Blvd
- 7 – Phyllis Wheatley Community Center – Bethune Park, 1301 10th Ave N
- 8 – Farview Park Recreation Center, 621 29th Ave N
- 9 – Harrison Park Recreation Center, 503 Irving Ave N

SIXTH WARD

PRECINCT—

- 1 – Heltzer Manor Highrise, 2121 Minnehaha Ave
- 2 – Seward Towers East, 2910 Franklin Ave E
- 3 – Coyle Community Center, 420 15th Ave S
- 4 – Elliot Park Recreation Center, 1000 14th St E
- 5 – Phillips Community Center, 2323 11th Ave S
- 6 – Mindekirken (Norwegian Lutheran Memorial Church), 924 21st St E
- 7 – Ebenezer Towers, 2523 Portland Ave S
- 8 – Ebenezer Park Apartments, 2700 Park Ave
- 9 – Minnesota Church Center, 122 Franklin Ave W (Pillsbury Ave entrance)

SEVENTH WARD

PRECINCT—

- 1C – Bryn Mawr Community School, 252 Upton Ave S
- 2D – St. Paul's Episcopal Church, 1917 Logan Ave S
- 3 – First Unitarian Society, 900 Mount Curve Ave
- 4D – Jones Harrison Residence, 3700 Cedar Lake Ave
- 5 – St Mark's Episcopal Cathedral, 519 Oak Grove St
- 6 – Westminster Presbyterian Church, 1200 Marquette Ave
- 7 – Bryn Mawr Community School, 252 Upton Ave S
- 8 – Emerson Spanish Immersion School, 1421 Spruce Place
- 9 – Temple Israel, 2324 Emerson Ave S (Fremont Ave entrance)
- 10 – Minnesota Church Center, 122 Franklin Ave W (Pillsbury Ave entrance)

EIGHTH WARD

PRECINCT—

- 1 – Horn Towers Highrise, 3121 Pillsbury Ave
- 2 – Lyndale Community School, 312 34th St W
- 3 – Sabathani Community Center, 310 38th St E
- 4 – St. Joan of Arc, 4537 3rd Ave S
- 5 – St. Joan of Arc, 4537 3rd Ave S
- 6 – Martin Luther King Park (Multipurpose), 4055 Nicollet Ave
- 7 – Martin Luther King Park (Gym), 4055 Nicollet Ave
- 8 – Bethel Evangelical Lutheran Church, 4120 17th Ave S

NINTH WARD

PRECINCT—

- 1 – Central Gym Park Recreation Center, 3450 4th Ave S (4th Ave S entrance)
- 2 – Powderhorn Park Recreation Center (Gym), 3400 15th Ave S
- 3 – Andersen School, 1098 Andersen Lane (use door no. 15 off 12th Ave at 27th St)
- 4 – Little Earth of United Tribes NELC, 2438 18th Ave S
- 5 – Walker Community Church, 3104 16th Ave S
- 6 – Corcoran Park Recreation Center, 3334 20th Ave S
- 7 – Powderhorn Park Recreation Center (Multipurpose), 3400 15th Ave S
- 8 – Holy Trinity Lutheran Church, 2730 31st St E
- 9 – Church of Gichitwaa Kateri, 3045 Park Ave

TENTH WARD

PRECINCT—

- 1 – Jefferson Community School (Auditorium), 1200 26th St W
- 2 – Jefferson Community School (Lower Gym), 1200 26th St W
- 3A – St. Mary's Greek Orthodox Church, 3450 Irving Ave S
- 4 – Bryant Square Park, 3101 Bryant Ave S
- 5A – Walker Methodist Home, 3737 Bryant Ave S
- 6 – First Universalist Church, 3400 Dupont Ave S
- 7 – Whittier Park Recreation Center, 425 26th St W
- 8 – Whittier International School, 315 26th St W
- 9 – Minneapolis College of Art and Design (MCAD), 2501 Stevens Ave
- 10 – Spring House Ministry Center, 610 W 28th St
- 11 – Jefferson Community School (Lower Gym), 1200 26th St W ##

ELEVENTH WARD

PRECINCT—

- 1 – Knox Presbyterian Church, 4747 Lyndale Ave S
- 2 – Mayflower Church, 106 Diamond Lake Road E
- 3 – Windom South Park Recreation Center, 5843 Wentworth Ave S
- 4 – McRae Park Recreation Center, 906 47th St E
- 5 – Pearl Park Recreation Center, 414 Diamond Lake Road E
- 6 – Our Lady of Peace Church, 5426 12th Ave S
- 7 – The Urban Refuge Church, 5501 Chicago Ave
- 8 – Wenonah Campus-Lake Nokomis Community School, 5625 23rd Ave S
- 9 – Keewaydin Park Recreation Center, 3030 53rd St E
- 10 – Diamond Lake Lutheran Church, 5760 Portland Ave S

TWELFTH WARD

PRECINCT—

- 1 – Longfellow Park Recreation Center, 3435 36th Ave S
- 2 – Howe Elementary School, 3733 43rd Ave S
- 3 – St. Peder's Evangelical Lutheran Church, 4600 42nd St E
- 4 – Hiawatha School Park Recreation Center, 4305 42nd St E
- 5 – Nokomis Community Center, 2401 Minnehaha Parkway E
- 6 – Minnehaha United Methodist Church, 3701 50th St E
- 7 – Minnesota Veterans Home, (Bldg no. 21) 5101 Minnehaha Ave
- 8 – Sibley Park Recreation Center, 1900 40th St E
- 9 – St. Helena Catholic Church, 3204 43rd St E (use parking lot entrance)
- 10 – Morris Park Recreation Center, 5531 39th Ave S
- 11 – Trinity Lutheran Church of Minnehaha Falls, 5212 41st Ave S
- 12 – Roosevelt High School (Gym), 4029 28th Ave S
- 13 – Keewaydin Campus-Lake Nokomis Community School (Gym), 5209 30th Ave S

THIRTEENTH WARD

PRECINCT—

- 1 – Bakken Museum, 3537 Zenith Ave S
- 2 – St John's Episcopal Church, 4201 Sheridan Ave S
- 3 – Linden Hills Park Recreation Center, 3100 43rd St W

- 4 – St Thomas the Apostle (Gym), 2914 W 44th St
- 5 – Pershing Park Recreation Center, 3523 48th St W
- 6 – Lynnhurst Park Recreation Center, 1345 Minnehaha Parkway W (use Parkway entrance)
- 7 – Kenny Community School, 5720 Emerson Ave S
- 8 – Armatage Park Recreation Center, 2500 57th St W
- 9 – Anthony Middle School, 5757 Irving Ave S
- 10 – St. Luke's Episcopal Church, 4557 Colfax Ave S
- 11 – Lake Harriet Methodist Church, 4901 Chowen Ave S
- 12 – Christ the King Church, 5029 Zenith Ave S
- 13 – Mt. Olivet Lutheran Church, 5025 Knox Ave S

++ Name change

^^ New polling location

New precinct

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The HOUSING POLICY & DEVELOPMENT Committee submitted the following report:

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2019R-255 approving the sale of the property at 1621 Fremont Ave N, (Disposition Parcel No. MH-158), to Visitation Monastery of Minneapolis or affiliated entities for \$12,600, subject to conditions.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-255

By Gordon

Authorizing sale of land Disposition Parcel MH-158, under the Minneapolis Homes Program at 1621 Fremont Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel MH-158, in the Near North neighborhood, from Visitation Monastery of Minneapolis, hereinafter known as the Redeveloper, the Parcel MH-158, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-158; 1621 Fremont Ave N: The East 107 feet of Lot 2, Block 12, Gale's Subdivision in Sherburne and Beebe's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$12,600 for Parcel MH-158 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on August 16, 2019, a public hearing on the proposed sale was duly held on August 28, 2019, at the regularly scheduled Housing Policy and Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$12,600 for Parcel MH-158.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0735

The Minneapolis City Council hereby:

1. Passage of Resolution 2019R-256 approving the sale of the property at 2120 Aldrich Ave N, (Disposition Parcel No. MH-159), to Sadiq Mohamud and Sahra Abdirahman or affiliated entities for \$7,900, subject to conditions.
2. Approves the award of up to \$20,000 in Homebuyer Incentive funds to Sadiq Mohamud and Sahra Abdirahman or affiliated entities.
3. Authorizes related agreements with Sadiq Mohamud and Sahra Abdirahman or affiliated entities.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-256

By Gordon

Authorizing sale of land Disposition Parcel MH-159, under the Minneapolis Homes Program at 2120 Aldrich Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel MH-159, in the Hawthorne neighborhood, from Sadiq Mohamud and Sahra Abdirahman, hereinafter known as the Redeveloper, the Parcel MH-159, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-159; 2120 Aldrich Ave N: Lot 14, Block 5, Highland Park Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$7,900 for Parcel MH-159 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on August 16, 2019, a public hearing on the proposed sale was duly held on August 28, 2019, at the regularly scheduled Housing Policy

and Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$7,900 for Parcel MH-159.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0736

The Minneapolis City Council hereby:

1. Passage of Resolution 2019R-257 approving the sale of the properties at 2946 Queen Ave N and 2950 Queen Ave N, (Disposition Parcel Nos. MH-160 and MH-161), to Greater Metropolitan Housing Corporation (GMHC), subject to conditions.

2. Authorizes agreements with GMHC or affiliated entity and authorizing the Community Planning & Economic Development Director to make modifications.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-257

By Gordon

Authorizing sale of land Disposition Parcels MH-160 & MH-161, under the Minneapolis Homes Program at 2946 Queen Ave N and 2950 Queen Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels MH-160 & MH-161, in the Jordan neighborhood, from Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper, the Parcels MH-160 & MH-161, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTIONS:

MH-160; 2946 Queen Ave N: Lot 27, Block 2, Penn Ave Addition; and

MH-161; 2950 Queen Ave N: Lot 28, Block 2, Penn Ave Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$5,100 for Parcel MH-160 and \$5,100 for Parcel MH-161 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcels; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on August 16, 2019, a public hearing on the proposed sale was duly held on August 28, 2019, at the regularly scheduled Housing Policy and Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$5,100 for Parcel MH-160 and \$5,100 for Parcel MH-161.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcels in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 180 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$1000.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0737

The Minneapolis City Council hereby directs staff to include any comments received at the public hearing, or submitted otherwise during the public comment period, in the 2018 U.S. Department of Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER) to be submitted to HUD on Aug. 29, 2019.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Gordon offered Ordinance 2019-038 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, adding and amending provisions establishing renter protections.

COUNCIL ACTION 2019A-0738

On motion by Ellison, the City Attorney's Office, Community Planning & Economic Development Department, and Regulatory Services Department were directed to examine the potential options and feasibility for a 10-year (or longer) lookback period for certain additional felony crimes as part of the work of the cross-sector implementation committee.

On motion by Ellison, Section 244.2040(a) of the ordinance was amended to read as follows:

244.2040. Security deposits. *(a) Definitions.* As used in this section, the following words shall mean:

Referral. Written documentation maintained by the landlord that the tenancy of the dwelling unit was coordinated with a non-profit service provider or government agency.

Security deposit. Security deposit has the meaning stated in Minnesota Statutes, Section 504B.178.

Single month rent. For a lease in which rent is paid once each month in the same amount, single month rent means that amount. **When a tenant's rent is supplemented by a rental subsidy, rent means the total contract rent for the dwelling unit.** For a lease in which rent is paid once each period in the same amount but the period is not one (1) month, single month rent means that amount divided by the number of days in the period and then multiplied by thirty (30). For other leases, single month rent means the total amount of rent due under the anticipated length of the lease divided by the number of days in the anticipated length of the lease and then multiplied by thirty (30).

Ellison moved to amend Section 244.2030(c)(1)(h) of the ordinance to read as follows:

h. Any criminal conviction for the following felony offenses for which the dates of sentencing are older than ten (10) years: first-degree assault (Minnesota Statutes section 609.221), first-degree arson (Minnesota Statutes section 609.561), ~~or~~ aggravated robbery (Minnesota Statutes section 609.245), **first-degree murder (Minnesota Statutes section 609.185), second-degree murder (Minnesota Statutes section 609.19), third-degree murder (Minnesota Statutes 609.195), first-degree manslaughter (Minnesota Statutes 609.20, subd. 1, 2, and 5), kidnapping (Minnesota Statutes 609.25, subd. 2(2)), or first-degree criminal sexual conduct (Minnesota Statutes 609.342, subd. 1(b) and (g)).**

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Jenkins and Reich moved to amend the ordinance to exempt owner-occupied two to four-unit residential buildings from regulations related to criminal background checks, per HUD guidance; and also to include a longer phase-in period of one year for 15 units or less.

On motion by Cunningham, the question was divided so as to consider separately the exemption and effective date of the ordinance.

Jenkins and Reich offered the following amendment to Section 244.2030(f) of the ordinance to read as follows:

(f) **Exceptions. (1) Whenever local, state, or federal funding or loan requirements for tenant screening conflict with any portion of this section 244.2030, the funding or loan requirements will take precedence over only those portions in conflict.**

(2) This section 244.2030 shall not apply to renting or leasing a dwelling with four (4) dwelling units or less when a person who owns or has an ownership interest in the dwelling is residing in one of the dwelling units.

On roll call, the result was:

Ayes: Reich, Warsame, Goodman, Jenkins, Cano, Palmisano (6)

Noes: Gordon, Fletcher, Cunningham, Ellison, Bender, Schroeder (6)

Absent: Johnson (1)

The motion failed.

Jenkins and Reich offered the following amendment to Section 244.2030(i) of the ordinance to read as follows:

(i) **Effective date. This section shall become effective June 1, 2020; except for property owners with fifteen (15) dwelling units or less, for which the effective date shall be December 1, 2020.** Prior to the effective date, the city will convene a cross-sector implementation committee to create and execute an implementation plan. The committee will include representatives from legal and tenant advocacy organizations, the multi-housing industry and city departments. The committee will determine best practices and policies for ordinance implementation, including the creation of relevant screening templates for legal screening options including individualized assessment, and create an outreach and engagement plan.

On roll call, the result was:

Ayes: Reich, Gordon, Cunningham, Warsame, Goodman, Jenkins, Cano, Schroeder, Palmisano (9)

Noes: Fletcher, Ellison, Bender (3)

Absent: Johnson (1)

Adopted.

On roll call, the result of the ordinance, as amended, was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2019-038
By Ellison and Bender
Intro & 1st Reading: 3/23/2018
Ref to: HPD
2nd Reading: 9/13/2019

Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 244.150 of the above-entitled ordinance be amended to read as follows:

244.150. - Notice of violations. Whenever the commissioner of health, the fire marshal or the director of regulatory services determines that there has been a violation, or that there are reasonable grounds to believe that there has been a violation, of any provision of this Code, notice of such violation or alleged violation shall be given to the person or persons responsible therefor. Such notice shall:

- (~~a~~ 1) Be in writing;
- (~~b~~ 2) Include a description of the real estate sufficient for identification;
- (~~c~~ 3) Specify the violation which exists and remedial action required;
- (~~d~~ 4) Allow a reasonable time for the performance of any act it requires;
- (~~e~~ 5) Be served upon the owner, or the operator, or the occupant, as the case may require. Such notice shall be deemed to be properly served upon such owner, or upon such operator, or upon such occupant if a copy thereof is served upon such owner, operator or occupant personally; or if a copy is left at such owner's, operator's or occupant's usual place of abode with a person of suitable age and discretion then resident therein; or by depositing in the United States Post Office, the notice addressed to such owner's, operator's or occupant's last-known address with postage prepaid thereon; or if service cannot be made by any one (1) of the above means then such notice shall be deemed served if a copy of such notice is posted and kept posted for twenty-four (24) hours in a conspicuous place on the premises affected by such notice.

Notwithstanding the other provisions of this section, a notice of violation shall not be required for violation of sections 227.90, 240.10, 240.20, 240.30, 240.40, 240.50, 240.60, 240.70, 240.80, 240.90, 240.100, 244.60, 244.240, 244.350, 244.410, 244.430, 244.460, 244.590, 244.610, 244.620, 244.640, 244.660, 244.690, 244.700, 244.760, 244.810, 244.820, 244.850, 244.910, 244.915, 244.930, 244.940, 244.945, 244.960, 244.1080, 244.1090, 244.1260, 244.1360, 244.1450, 244.1490, 244.1500, 244.1510, 244.1575, 244.1610, 244.1810, 244.1970, 244.2030, 244.2040, 244.2120, 244.2130, 244.2140, 385.240, 546.80, 547.80, 548.80 and 549.80.

Section 2. That Section 244.1910 of the above-entitled ordinance be amended to read as follows:

244.1910. - Licensing standards. (~~a~~) The following minimum standards and conditions shall be met in order to hold a rental dwelling license under this article. Failure to comply with any of these standards and conditions shall be adequate grounds for the denial, refusal to renew, revocation, or suspension of a rental dwelling license or provisional license, or for the imposition of reasonable conditions or restrictions upon such a license

pursuant to section 259.165, in addition to any other remedy available at equity or law, including but not limited to escalating administrative fines.

- (1) The licensee or applicant shall have paid the required license fee.
- (2) Rental dwelling units shall not exceed the maximum number of dwelling units permitted by the Zoning Code.
- (3) No rental dwelling or rental dwelling unit shall be over occupied or illegally occupied in violation of the Zoning Code or the Housing Maintenance Code.
- (4) The rental dwelling shall not have been used or converted to rooming units in violation of the Zoning Code.
- (5) The owner shall not suffer or allow weeds, vegetation, junk, debris, or rubbish to accumulate repeatedly on the exterior of the premises so as to create a nuisance condition under section 227.90 of this Code. If the city is required to abate such nuisance conditions under section 227.100 or collect, gather up or haul solid waste under section 225.690 more than three (3) times under either or both sections during a period of twenty-four (24) months or less, it shall be sufficient grounds to deny, revoke, suspend or refuse to renew a license.
- (6) The rental dwelling or any rental dwelling unit therein shall not be in substandard condition, as defined in section 244.1920.
- (7) The licensee or applicant shall have paid the required reinspection fees.
- (8) The licensee or his or her agent shall allow the director of regulatory services and his or her designated representative to perform a rental license review inspection as set forth in section 244.2000(c).
- (9) The licensee shall maintain a current register of all tenants and other persons with a lawful right of occupancy to a dwelling unit and the corresponding floor number, and unit number and/or letter and/or designation of such unit within the building. The register shall be kept current at all times. The licensee shall designate the person who has possession of the register and shall inform the director of the location at which the register is kept. The register shall be available for review by the director or their authorized representatives at all times.
- (10) The licensee shall submit to the director of regulatory services or an authorized representative of the director, at the time of application for a rental dwelling license and for just cause as requested by the director, the following information: the number and kind of units within the dwelling (dwelling units, rooming units, or shared bath units), specifying for each unit, the floor number, and the unit number and/or letter and/or designation.
- (11) a. There shall be no delinquent property taxes or assessments on the rental dwelling, nor shall any licensee be delinquent on any financial obligations owing to the city under any action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process.

b. The licensee or applicant shall have satisfied all judgments duly entered or docketed against the licensee or applicant by any court of competent jurisdiction arising out of the operation of a rental

property business. This subsection shall not be found to have been violated if the licensee or applicant demonstrates that the underlying case or action leading to the entry of judgment is being properly and timely removed to district court or otherwise appealed, or when the judgment is being paid in compliance with a payment plan accepted by either a court possessing jurisdiction over the judgment or the judgment creditor or during any period when the enforcement of the judgment has been duly stayed by such a court. This subsection shall become effective January 1, 2008.

(12) There is no active arrest warrant for a Minneapolis Housing Maintenance Code or Zoning Code violation pertaining to any property in which the licensee, applicant or property manager has a legal or equitable ownership interest or is involved in management or maintenance.

(13) a. Any person(s) who has had an interest in two (2) or more licenses revoked pursuant to this article or canceled pursuant to section 244.1925 or a combination of revocations or cancellations shall be ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of five (5) years.

b. Any person(s) who has had an interest in a license revoked pursuant to this article or canceled pursuant to section 244.1925, shall be ineligible from obtaining any new rental dwelling licenses for a period of three (3) years.

(14) No new rental dwelling license shall be issued for the property during the pendency of adverse license action initiated pursuant to section 244.1940.

(15) The licensee or applicant must have a current, complete, and accurate rental dwelling application on file with the director of regulatory services in accord with the provisions of section 244.1840.

(16) a. Before taking a rental application fee, a rental property owner must disclose to the applicant, in writing, the criteria on which the application will be judged.

b. Application forms must allow the applicant to choose a method for return of the application fee as either 1) mailing it to an applicant's chosen address as stated on the application form, 2) destroying it 3) holding for retrieval by the tenant upon one (1) business-day's notice.

c. If the applicant was charged an application fee and the rental property owner rejects the applicant, then the owner must, within fourteen (14) days, notify the tenant in writing of the reasons for rejection, including any criteria that the applicant failed to meet, and the name, address, and phone number of any tenant screening agency or other credit reporting agency used in considering the application.

d. The landlord must refund the application fee if a tenant is rejected for any reason not listed in the written criteria.

e. Nothing in this section shall prohibit a rental property owner from collecting and holding an application fee so long as the rental property owner provides a written receipt for the fee and the fee is not cashed, deposited, or negotiated in any way until all prior rental applicants either have been screened and rejected for the unit, or have been offered the unit and have declined to take it. If a prior rental applicant is offered the unit and accepts it, the rental property owner shall return all application fees in the manner selected by the applicant, pursuant to section (b).

f. Violation of this subsection, 244.1910(16), may result in an administrative citation, or may contribute to the denial or revocation of a rental license.

g. This subdivision shall become effective December 1, 2004.

(17) An owner shall not have any violations of Minnesota Rule Chapter 1300.0120 subpart 1, related to required permits, at any rental dwelling which they own or have an ownership interest. A violation of Minnesota Rule Chapter 1300.0120 subpart 1 shall result in a director's determination of noncompliance notice being sent, pursuant to 244.1930 to the owner regarding the rental dwelling where the violation occurred. A second violation, at any rental dwelling in which the owner has an ownership interest, of Minnesota Rule Chapter 1300.0120 subpart 1, related to required permits, shall result in the issuance of a director's notice of denial, non-renewal, or suspension of the license or provisional license, pursuant to 244.1940 of the Code, for the rental dwelling where the second violation occurred.

(18) The owner, where the owner pays the water bill for a rental dwelling, shall not allow the water to be shut off for non-payment. If water to a rental dwelling has been turned off, for lack of payment by the owner it shall be sufficient grounds to deny, revoke, suspend or refuse to renew a license or provisional license.

(19) The provisions of this section are not exclusive. Adverse license action inclusive of, but not limited to, revocation, may be based upon good cause at any time upon proper notice and hearing. This section shall not preclude the enforcement of any other provisions of this Code or state and federal laws and regulations.

(20) A licensee or owner/landlord shall not be in violation of section 244.265 of this Code, which requires owner/landlords to notify tenants and prospective tenants of pending mortgage foreclosure or cancellation of contract for deed involving the licensed property.

(21) Any person(s), having an ownership or management interest in any property, upon a second violation of section 244.1810 by allowing to be occupied, letting or offering to let to another for occupancy, any dwelling unit without having first obtained a license or provisional license, shall be ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of two (2) years.

(22) The owner or licensee shall not be in violation of section 225.780, which requires every owner of a building containing two (2) or more dwelling units to provide for recycling services.

(23) The licensee or applicant shall not have any unpaid fines or fees owing to the City of Minneapolis related to their rental property.

(24) An owner shall not have any violations of chapter 240 of this Code, adopting Minnesota State Statutes Chapter 144 and amendments thereto and Minnesota Rules, Chapter 4761 and amendments thereto, at any rental dwelling which they own or have an ownership interest. A violation of chapter 240 of this Code, of Minnesota State Statutes Chapter 144 and amendments thereto or of Minnesota Rules, Chapter 4761 and amendments thereto shall result in a director's determination of noncompliance notice being sent, pursuant to [section] 244.1930 to the owner regarding the rental dwelling where the violation occurred. A second violation, at any rental dwelling in which the owner has an ownership interest, of chapter 240 of this Code, of Minnesota State Statutes Chapter 144 and amendments thereto or of Minnesota Rules, Chapter 4761 and amendments thereto shall result in the issuance of a director's notice of denial,

non-renewal, or suspension of the license or provisional license, pursuant to [section] 244.1940 of the Code, for the rental dwelling where the second violation occurred.

(25) An owner shall not have any violations of section 244.2030 of this Code. A violation of section 244.2030 shall result in a director's determination of noncompliance notice being sent, pursuant to section 244.1930 of this Code, to the owner regarding the rental dwelling where the violation occurred. A second violation of section 244.2030, at any rental dwelling in which the owner has an ownership interest, may result in the issuance of a director's notice of denial, non-renewal, or suspension of the license or provisional license, pursuant to section 244.1940 of this Code, for the rental dwelling where the second violation occurred.

(26) An owner shall not have any violations of section 244.2040 of this Code. A violation of section 244.2040 shall result in a director's determination of noncompliance notice being sent, pursuant to section 244.1930 of this Code, to the owner regarding the rental dwelling where the violation occurred. A second violation of section 244.2040, at any rental dwelling in which the owner has an ownership interest, may result in the issuance of a director's notice of denial, non-renewal, or suspension of the license or provisional license, pursuant to section 244.1940 of this Code, for the rental dwelling where the second violation occurred.

Section 3. That Chapter 244 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 244.2030 to read as follows:

244.2030. - Applicant screening criteria for prospective tenants. (a) Findings and purpose. As a home rule charter city, Minneapolis has broad authority through its police powers to enact regulation to further the public health, safety, and general welfare:

(1) The city has adopted policies that identify support for renters and ending racial disparities as priorities, including Minneapolis 2040, the Unified Housing Policy, the Renter-First Policy, and the Strategic and Racial Equity Action Plan.

(2) The persistent low vacancy rate, increases in rent, and stagnant wages for renters have made it difficult for renters to access safe, affordable housing in Minneapolis.

(3) The vacancy rate in Minneapolis has remained below five percent (5%) since 2015 and is even lower for apartment units under one thousand dollars (\$1,000) in monthly rent.

(4) Since 2000, housing costs for renters have increased by seventeen percent (17%), while renter income has increased by only four percent (4%).

(5) Renters comprise the majority of households in Minneapolis, growing by nearly fourteen thousand (14,000) households (a seventeen percent (17%) increase) between 2000 and 2017.

(6) Renters are more likely to be low-income than homeowners and households of color are more likely to rent than white households.

(7) Of the more than eighty-nine thousand (89,000) renter households in Minneapolis, nearly fifty thousand (50,000) earned less than sixty percent (60%) of Area Median Income in 2016.

(8) Three out of four low income households (earning less than fifty percent (50%) of Area Median Income) in Minneapolis are housing cost-burdened, paying more than thirty percent (30%) of their income for rent.

(9) As many as one-third (1/3) of adults in the United States have a criminal history.

(10) Access to housing is one of the key factors to prevent recidivism.

(11) Across the country, African Americans and Hispanics are incarcerated at much higher rates than their share of the population.

(12) As of January 2019, African Americans make up thirty-four and one-half percent (34.5%) of the Minnesota prison population, while comprising only six and one-half percent (6.5%) of the state's population as a whole (as of 2017).

(13) American Indians make up nine percent (9%) of the Minnesota prison population, while comprising only one and one-tenth percent (1.1%) of the population as a whole (as of 2017).

(14) The United States Department of Housing and Urban Development issued guidance in April 2016 regarding the Fair Housing Act and the use of criminal history in tenant screening finding that criminal history based restrictions violate the Fair Housing Act if "without justification, their burden falls more often on renters or other housing market participants of one race or national origin over another."

(15) The United States Department of Housing and Urban Development identified individualized assessments as the preferred mechanism for housing providers to fairly screen individuals with criminal history barriers.

(16) Sociological research does not support the idea that a criminal record provides accurate information about the potential for housing success.

(17) Studies demonstrate the risk of a new offense by someone who has committed an offense in the past declines over time.

(18) With an eviction on record, it becomes harder to secure safe, stable housing.

(19) Evictions disproportionately affect the city's lowest income residents in the most racially diverse communities.

(20) About sixty-four million (64,000,000) people in the United States have no credit history or lack sufficient credit history to generate a credit score with the major credit bureaus.

(21) A 2013 Federal Trade Commission Study found that one (1) in five (5) consumers had an error on at least one (1) of their three (3) credit reports.

(22) Numerous studies find that credit scoring systems have disparate impacts on communities of color.

(23) Credit scores by themselves typically are not based upon the applicant's history of rent payment and do not necessarily predict the likelihood of paying rent on a regular and timely basis.

(24) Increasing housing access and promoting housing stability directly furthers the health, safety, and welfare of the city's residents.

(25) The city will continue to monitor and improve this ordinance based on new information, including tenant and property owner experiences, research and market conditions, as it becomes available.

(b) *Screening criteria made available.* Before accepting applications for rental housing, a landlord must make readily available to all applicants the landlord's rental screening criteria in as much detail as is feasible.

(c) *Inclusive screening criteria.* A landlord must either conduct the individualized assessment required by subdivision (d) below, or apply inclusive screening criteria that do not reject an applicant for any of the following reasons:

(1) *Criminal history.*

a. Any arrest in an inactive case that did not result in conviction;

b. Participation in or completion of a diversion or a deferral of judgment program, including stays of adjudication and continuances for dismissal or without prosecution;

c. Any conviction that has been vacated or expunged, or for which the applicant received a stay of imposition of sentencing and complied with the terms of the stay;

d. Any conviction for a crime that is no longer illegal in the state of Minnesota;

e. Any conviction or any other determination or adjudication in the juvenile justice system;

f. Any conviction for misdemeanor offenses for which the dates of sentencing are older than three (3) years;

g. Any criminal conviction for felony offenses for which the dates of sentencing are older than seven (7) years; however, a landlord may deny an applicant who has been convicted of the illegal manufacture or distribution of a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802) or for those same offenses that mandate denial of tenancy in federally assisted housing subject to federal regulations, including but not limited to when any member of the household is subject to a lifetime sex offender registration requirement under a state sex offender registration program; or

h. Any criminal conviction for the following felony offenses for which the dates of sentencing are older than ten (10) years: first-degree assault (Minnesota Statutes section 609.221), first-degree arson (Minnesota Statutes section 609.561), ~~or~~ aggravated robbery (Minnesota Statutes section 609.245), first-degree murder (Minnesota Statutes section 609.185), second-degree murder (Minnesota Statutes section 609.19), third-degree murder (Minnesota Statutes 609.195), first-degree manslaughter (Minnesota Statutes 609.20, subd. 1, 2, and 5), kidnapping (Minnesota Statutes 609.25, subd. 2(2)), or first-degree criminal sexual conduct (Minnesota Statutes 609.342, subd. 1(b) and (g)).

(2) Credit history.

- a. Credit score by itself, although information within a credit report directly relevant to fitness as a tenant can be relied upon by a landlord; or
- b. Insufficient credit history, unless the applicant in bad faith withholds credit history information that might otherwise form a basis for denial.

(3) Rental history.

- a. An eviction action pursuant to Minnesota Statutes Chapter 504B if the action:
 - 1. Was dismissed or resulted in a judgment for the applicant before the applicant submits the application;
 - 2. Was settled with no judgment or writ of recovery issued that was entered one (1) or more years before the applicant submits the application;
 - 3. Resulted in a judgment against the applicant that was entered three (3) or more years before the applicant submits the application; or
- b. Insufficient rental history, unless the applicant in bad faith withholds rental history information that might otherwise form a basis for denial.
- c. If a landlord uses a minimum income test requiring an income equal to three (3) times the rent or higher, the landlord must allow an exception to that test where the applicant can demonstrate a history of successful rent payment with an income less than three (3) times the rent.
- (d) Individualized assessment. A landlord that applies screening criteria that are more prohibitive than the inclusive screening criteria set forth in subdivision (c) must conduct an individualized assessment for any basis upon which the landlord intends to deny an application. In evaluating an applicant using individualized assessment, a landlord must accept and consider all supplemental evidence provided with a completed application to explain, justify, or negate the relevance of potentially negative information revealed by screening. Supplemental evidence refers to any written information submitted by the applicant in addition to that provided on the landlord's form application that the applicant believes to be relevant to the applicant's predicted performance as a tenant. When evaluating the effect of supplemental evidence on a landlord's decision of acceptance or denial of an applicant, the landlord must also consider:
 - (1) The nature and severity of the incidents that would lead to a denial;
 - (2) The number and type of the incidents;
 - (3) The time that has elapsed since the date the incidents occurred; and
 - (4) The age of the individual at the time the incidents occurred.

(e) Denials.

(1) Inclusive screening criteria. If a denial is based on the inclusive screening criteria of subdivision (c), a landlord shall notify the applicant in writing within fourteen (14) days of rejecting a rental application and identify the specific criteria the applicant failed to meet. Before denying an applicant for criminal history, a landlord must consider supplemental evidence provided by the applicant if provided at the time of application submittal.

(2) Individualized assessment. After performing an individualized assessment pursuant to subdivision (d), a landlord may deny an applicant if the denial is non-discriminatory in accordance with the Fair Housing Act. A landlord shall notify the applicant within fourteen (14) days of rejecting a rental application and such notification shall include the following:

a. The basis for denial; and

b. The supplemental evidence, if any, that the landlord considered and an explanation of the reasons that the supplemental evidence did not adequately compensate for the factors that informed the landlord's decision to reject the application.

The notification shall be in writing and retained by the landlord for a period of two (2) years. A landlord shall provide a copy to the department of regulatory services upon request of the director of regulatory services or the director's designee.

(f) Exception. Whenever local, state, or federal funding or loan requirements for tenant screening conflict with any portion of this section 244.2030, the funding or loan requirements will take precedence over only those portions in conflict.

(g) Enforcement. In addition to any other remedy available at equity or law, failure to comply with the provisions of this section 244.2030 may result in criminal prosecution, adverse rental license action, and/or administrative fines, restrictions, or penalties as provided in Chapter 2 of this Code. A notice of violation, as described in section 244.150, shall not be required in order to establish or enforce a violation of this section. Any tenant aggrieved by a landlord's noncompliance with this section may seek redress in any court of competent jurisdiction to the extent permitted by law.

(h) Severability. If any of the parts or provisions of this section or the application thereof to any person or circumstance is held invalid or unconstitutional by a decision of a court of competent jurisdiction, the remainder of this section, including the application of such part or provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this section are severable.

(i) Effective date. This section shall become effective June 1, 2020; except for property owners with fifteen (15) dwelling units or less, for which the effective date shall be December 1, 2020. Prior to the effective date, the city will convene a cross-sector implementation committee to create and execute an implementation plan. The committee will include representatives from legal and tenant advocacy organizations, the multi-housing industry, and city departments. The committee will determine best practices and policies for ordinance implementation, including the creation of relevant screening templates for legal screening options including individualized assessment, and create an outreach and engagement plan.

Section 4. That Chapter 244 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 244.2040 to read as follows:

244.2040. - Security deposits. (a) *Definitions.* As used in this section, the following words shall mean:

Referral. Written documentation maintained by the landlord that the tenancy of the dwelling unit was coordinated with a non-profit service provider or government agency.

Security deposit. Security deposit has the meaning stated in Minnesota Statutes, Section 504B.178.

Single month rent. For a lease in which rent is paid once each month in the same amount, single month rent means that amount. When a tenant's rent is supplemented by a rental subsidy, rent means the total contract rent for the dwelling unit. For a lease in which rent is paid once each period in the same amount but the period is not one (1) month, single month rent means that amount divided by the number of days in the period and then multiplied by thirty (30). For other leases, single month rent means the total amount of rent due under the anticipated length of the lease divided by the number of days in the anticipated length of the lease and then multiplied by thirty (30).

(b) *Limit on security deposit amount.* No landlord shall demand, charge, accept, or retain from a tenant more than a single month rent as a security deposit. Provided, however, if the lease or other agreement requires the tenant to pay before the tenancy starts or any time prior to the end of the first month of tenancy more than the first installment of rent plus the deposit, then the landlord shall not demand, charge, accept, or retain more than one-half (1/2) of a single month rent as a security deposit. In this situation, no landlord shall deny a tenant's request to pay the security deposit in installments over a period of up to three (3) months in installment amounts reasonably requested by the tenant. For dwelling units subject to a referral between the landlord and non-profit service provider or government agency, the maximum security deposit amount is limited to one and a half (1 1/2) of a single month rent. Any security deposit furnished herein shall be governed by the provisions of Minnesota Statutes, Section 504B.178, together with this section.

(c) *Notice of rights.* Contemporaneously with a landlord's obligation to return the deposit, transfer the deposit, or provide a written statement pursuant to Minnesota Statutes, Section 504B.178, a landlord must also deliver to the tenant a written notice of rights under state law and local ordinance regarding security deposits in a form and manner approved by the city.

(d) *Enforcement.* In addition to any other remedy available at equity or law, failure to comply with the provisions of this section may result in criminal prosecution, adverse rental license action, and/or administrative fines, restrictions, or penalties as provided in Chapter 2 of this Code. A notice of violation, as described in section 244.150, shall not be required in order to establish or enforce a violation of this section.

(e) *Severability.* If any of the parts or provisions of this section or the application thereof to any person or circumstance is held invalid or unconstitutional by a decision of a court of competent jurisdiction, the remainder of this section, including the application of such part or provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this section are severable.

(f) *Effective date.* This section shall become effective June 1, 2020.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted, as amended.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2019R-258 granting approval for Hennepin County Housing and Redevelopment Authority to undertake a housing project on behalf of Parkview Apartments Associates, LP, for a project at 1125 Fremont Ave N, and 1121 and 1227 12th Ave N, through the issuance of up to \$28,800,000 of Multifamily Housing Revenue Bonds.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-258

By Gordon

Granting approval to undertake a housing or redevelopment project on behalf of Parkview Apartment Associates, LP at 1125 Fremont Ave N, and 1121 and 1227 12th Ave N, pursuant to Minnesota Statutes, Section 383B.77, as amended.

Whereas, at the request of Parkview Apartment Associates, LP, a Delaware limited partnership (the “Borrower”), the Hennepin County Housing and Redevelopment Authority (the “Issuer”) is proposing to issue one or more series of multifamily housing revenue bonds or other obligations (the “Bonds”), in an aggregate principal amount not to exceed \$28,800,000, and apply the proceeds derived from the sale of the Bonds to make a loan (the “Loan”) to the Borrower; and

Whereas, the Borrower has represented that it intends to apply the proceeds of the Loan to finance the following: (i) the acquisition, rehabilitation, and equipping of an approximately 223-unit multifamily rental housing development and facilities functionally related and subordinate thereto, to be located at 1125 Fremont Avenue N., and 1121 and 1227 12th Avenue N. in the City of Minneapolis (the “City”), for occupancy by persons and families of low-and moderate income (the “Project”), (ii) the funding of one or more reserve funds to secure the timely payment of the Bonds; (iii) the payment of a portion of the interest on the Bonds; and (iv) the payment of the costs of issuing the Bonds; and

Whereas, the Issuer has represented to the City that on April 16, 2019, the Board of Commissioners of the Issuer held a public hearing on the proposed issuance of revenue obligations to provide financing for the Project: and

Whereas the Issuer has requested that the City approve the Project pursuant to Minnesota Statutes, Section 383B.77;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Project is hereby approved.

Be It Further Resolved that the Bonds to be issued by the Issuer to finance the Project will not constitute a general or moral obligation of the City, to be secured by any taxing power of the City.

Be It Further Resolved that the Finance Officer and other officers of the City are authorized and directed to furnish to Bond Counsel, certified copies of all proceedings and records of the City relating to this resolution (the "Resolution"), and such other certificates, affidavits, and other documents as may be required by Bond Counsel, and all such other certificates, affidavits, and other documents, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

Be It Further Resolved that it is hereby determined that any and all costs incurred by the City in connection with the financing of the Project shall be paid by the Borrower. It is understood and agreed by the Borrower that the Borrower shall indemnify the City against all liabilities, losses, damages, costs, and expenses (including attorney's fees and expenses incurred by the City) arising with respect to the Project or the Bonds.

Be It Further Resolved that under the provisions of Article IV, Section 4.4(d) of the Charter of the City this Resolution shall take effect and be in force from and after its approval and publication, but only the title of this Resolution and a summary, as defined in Minnesota Statutes, Section 331A.01, subdivision 10 of this Resolution are required to be published in the official newspaper of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2019R-259 granting approval for Hennepin County Housing and Redevelopment Authority to undertake a housing project on behalf of Holmes Housing Partners, LP, for a project at 114 5th St SE, through the issuance of up to \$10,000,000 of Multifamily Housing Revenue Bonds.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-259

By Gordon

Granting approval to undertake a housing or redevelopment project on behalf of Holmes Housing Partners, LP at 114 Fifth Street Southeast, pursuant to Minnesota Statutes, Section 383B.77, as amended.

Whereas, at the request of Holmes Housing Partners, LP, a Minnesota limited partnership (the "Borrower"), the Hennepin County Housing and Redevelopment Authority (the "Issuer") is proposing to issue one or more series of taxable or tax-exempt multifamily housing revenue bonds or other obligations (the "Bonds"), in an aggregate principal amount not to exceed \$10,000,000, and apply the proceeds derived from the sale of the Bonds to make a loan (the "Loan") to the Borrower; and

Whereas, the Borrower has represented that it intends to apply the proceeds of the Loan to (i) finance the acquisition, rehabilitation, and equipping of an approximately 54-unit existing multifamily rental housing development and facilities functionally related and subordinate thereto located at 114 Fifth St SE, Minneapolis, Minnesota, for occupancy by persons and families of low and moderate income (the “Project”); (ii) fund any required reserve funds to secure the timely payment of the Bonds; (iii) finance capitalized interest, if necessary; and (iv) pay costs of issuing the Bonds; and

Whereas, the Issuer has represented to the City that on August 20, 2019, the Board of Commissioners of the Issuer held a public hearing on the proposed issuance of revenue obligations to provide financing for the Project; and

Whereas, the Issuer has requested that the City approve the Project pursuant to Minnesota Statutes, Section 383B.77;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Project is hereby approved.

Be It Further Resolved that the Bonds to be issued by the Issuer to finance the Project will not constitute a general or moral obligation of the City, or be secured by any taxing power of the City.

Be It Further Resolved that the Finance Officer and other officers of the City are authorized and directed to furnish to Kennedy & Graven, Chartered, in its capacity as bond counsel to the Issuer (“Bond Counsel”), certified copies of all proceedings and records of the City relating to this resolution and such other affidavits, certificates, and other documents as may be required by Bond Counsel, and all such certificates, affidavits, and other documents, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

Be It Further Resolved that it is hereby determined that any and all costs incurred by the City in connection with the financing of the Project will be paid by the Borrower. It is understood and agreed by the Borrower that the Borrower shall indemnify the City against all liabilities, losses, damages, costs, and expenses (including attorneys’ fees and expenses incurred by the City) arising with respect to the Project or the Bonds.

Be It Further Resolved that this resolution shall take effect and be in force from and after its approval and publication. In accordance with the terms of Article IV, Section 4.4(d), of the Charter of the City, only the title of this resolution and a summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official newspaper of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The PUBLIC HEALTH, ENVIRONMENT, CIVIL RIGHTS & ENGAGEMENT Committee submitted the following report:

COUNCIL ACTION 2019A-0739

The Minneapolis City Council hereby approves the following Council and Mayoral appointments to the Neighborhood and Community Engagement Commission:

1. Council appointments of John Benda, Seat 1, Ward 13, and Henry Gowin, Seat 2, Ward 8, to fill unexpired two-year terms beginning Jul 1, 2018, and ending Jun 30, 2020.
2. Council appointments of Patrice Howard, Seat 3, Ward 4, and Laura Nudell Lee, Seat 5, Ward 13, for two-year terms beginning Jul 1, 2019, and ending Jun 30, 2021.
3. Mayoral appointment of Devin Wise, Seat 7, Ward 7, for a two-year term beginning Jul 1, 2019, and ending Jun 30, 2021.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

On behalf of the Public Health, Environment, Civil Rights & Engagement Committee, Fletcher offered Resolution 2019R-260 authorizing the one-time transfer of \$150,000 from the City Coordinator's Division of Sustainability 2019 Budget of Franchise Fee funding to the Health Department for the Green Cost Share Program.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-260
By Warsame and Fletcher

Amending the 2019 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by decreasing the appropriation in the City Coordinator's Office in the General Fund (00100-8400200) by \$150,000, and increasing the appropriation for the Health Department in the General Fund (00100-8600155) by \$150,000, on a one-time basis, for the Green Cost Share Program.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0740

The Minneapolis City Council hereby:

1. Accepts a grant from the Minnesota Department of Health in the amount of \$79,745, for a one-year period beginning Oct 1, 2019 - Sep 30, 2020, to implement the Safer Sex Intervention (SSI) project.
2. Authorizes an agreement with the Minnesota Department of Health for the grant.
3. Passage of Resolution 2019R-261 appropriating funds to the Health Department.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-261

By Warsame

Amending The 2019 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department (01600-8600152 revenue code 321507) by \$79,745 and increasing the revenue estimate (01600-8600152) by \$79,745.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0741

The Minneapolis City Council hereby authorizes the submittal of a grant application to the Minnesota Department of Public Safety – Office of Justice Programs for a Youth Intervention Programs Grant in the amount of \$100,000 over a two-year period.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

On behalf of the Public Health, Environment, Civil Rights & Engagement Committee, Warsame offered Resolution 2019R-262 amending Resolution 2019R-201 to update the funding string to appropriate funds to the Health Department from the National Association of County and City Health Officials (NACCHO).

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-262

By Warsame

Amending Resolution 2019R-201, entitled “Amending The 2019 Appropriation Resolution,” passed July 20, 2019, to correct fund code for a grant from the National Association of County and City Health Officials.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department in the ~~Grants-Other Fund~~ Grants-Federal Fund (~~01600 01300 8600140~~) by \$200,000, and increasing the revenue estimate (~~01600 01300 8600140~~) by \$200,000.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

On behalf of the Public Health, Environment, Civil Rights & Engagement Committee, Warsame offered Resolution 2019R-263 amending Resolution 2019R-116 to update the funding string to appropriate funds to the Health Department from the Minnesota Department of Health.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-263

By Warsame

Amending Resolution 2019R-116, entitled “Amending The 2019 Appropriation Resolution,” passed April 27, 2019, to correct fund code for a grant from the Minnesota Department of Health.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department in the ~~Grants-Other Fund~~ Grants-Federal Fund (~~01600 01300 8600151~~) by \$4,185, and increasing the revenue estimate (~~01600 01300 8600151-Revenue Code 321507~~ 321007) by \$4,185.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0742

The Minneapolis City Council hereby approves the Council appointment of Kadijo Mohamed, Seat 12, Ward 6, to the Workplace Advisory Committee to fill an unexpired two-year term beginning Jan 1, 2019, and ending on Dec 31, 2020.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0743

The Minneapolis City Council hereby directs staff in the offices of Sustainability, Finance, Health, and the City Attorney to bring forward to the Public Health, Environment, Civil Rights & Engagement Committee a recommendation or set of options for a social cost of carbon to be considered for adoption by the City Council, no later than November 18, 2019.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following report:

COUNCIL ACTION 2019A-0744

The Minneapolis City Council hereby authorizes an increase to Contract No. C-43679 with Global Specialty Contractors, Inc., in the amount of \$153,259.90 for a total amount not to exceed \$7,845,533.22, for additional work performed as part of the Peavey Plaza Construction Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0745

The Minneapolis City Council hereby authorizes an increase to Contract No. C-42527 with Park Construction Company, in the amount of \$277,457.59 for a total amount not to exceed \$3,341,674.41, to complete additional work related to signal modifications and adjustments to quantities for the 18th Ave NE Street Reconstruction Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)
Absent: Johnson (1)
Adopted.

COUNCIL ACTION 2019A-0746

The Minneapolis City Council hereby authorizes a revenue-only Memorandum of Understanding between the Minneapolis Park and Recreation Board and the City of Minneapolis for a five-year period for solid waste and recycling collection services at most Minneapolis park locations.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)
Absent: Johnson (1)
Adopted.

COUNCIL ACTION 2019A-0747

The Minneapolis City Council hereby authorizes negotiations with Metro Transit for cost participation on coordinated improvements related to the D Line Bus Rapid Transit (BRT) Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)
Absent: Johnson (1)
Adopted.

COUNCIL ACTION 2019A-0748

The Minneapolis City Council hereby adopts a report designating that in accordance with procedures set out in Minnesota State Statutes, Section 429.101, and authority derived from special legislation applying to the City of Minneapolis, the City finds it to be in the interest of all citizens that the maintenance of the city street system promotes the general health, safety, and well-being of the citizenry and provides a benefit to each and every parcel within the City and further that the cost of street maintenance should be offset by imposing a street maintenance assessment upon benefited parcels that are otherwise exempt from ad valorem taxation. Further, that the City Engineer has presented the details required by Minnesota State Statutes, Section 429, in connection with Street Maintenance District No. 1 for assessment of the maintenance costs on Minneapolis streets for the convenience and safety of the whole City of Minneapolis area.

A summary of the facts relative to this assessment is as follows:

Approximate number of assessable parcels in the City of Minneapolis: 1,244.

Approximate combined assessable square footage: 27,708,260.

Annual cost per square foot: \$0.01957.

Further, a public hearing is scheduled for October 15, 2019, in accordance with the provisions of Minnesota State Statutes, Section 429, to consider the establishment of said proposed Street Maintenance District No. 1.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0749

The Minneapolis City Council hereby adopts a report designating that in accordance with Minneapolis Code of Ordinances, Chapter 431, passed August 14, 2009, relating to imposing a street lighting fee upon benefited parcels that are otherwise exempt from ad valorem taxation (said Chapter 431.20 determining the City finds it to be in the interest of all citizens that the establishment, construction, operation, and maintenance of street lighting promotes the general health, safety, and well-being of the citizenry and provides a benefit to each and every parcel within the City and further that the cost of street lighting operations should be offset by imposing a street lighting fee upon benefited parcels that are otherwise exempt from ad valorem taxation), and that the City Engineer has presented the details required by said Chapter 431 in connection with proposed Street Lighting Project No. 1337L for assessment of the operation costs of street lighting for the convenience and safety of the whole City of Minneapolis area.

A summary of the facts relative to this assessment is as follows:

Approximate number of assessable parcels in the City of Minneapolis: 1,244.

Approximate combined assessable square footage: 27,708,260.

Annual cost per square foot: \$0.00392.

Further, a public hearing is scheduled for October 15, 2019, in accordance with the provisions of Minneapolis Code of Ordinances, Chapter 431, to consider the establishment of said proposed Street Lighting Project No. 1337L.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0750

The Minneapolis City Council hereby:

1. Passage of Resolution 2019R-264 approving the layout for the construction and installation of a pedestrian refuge island and a new traffic signal on 26th Ave S, between E Franklin Ave and S 9th St.
2. Authorizes a construction cooperative agreement with Seward Towers Corporation, in the amount of \$151,000, for the construction of a pedestrian refuge island with Americans with Disabilities Act (ADA)

compliant pedestrian ramps and the installation of a new traffic signal at 26th Ave S, between E Franklin Ave and S 9th St.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-264

By Reich

Approving the layout for the construction and installation of a pedestrian refuge island and a new traffic signal on 26th Ave S, between E Franklin Ave and S 9th St.

Whereas, the midblock location of 26th Ave S between E Franklin Ave and 9th St S is currently an uncontrolled crossing between Seward Towers housing complex and the Merwyn Triangle Park; and

Whereas, this midblock location is the logical crossing for pedestrians to access the park; and

Whereas, the City of Minneapolis and Seward Towers Corporation support the installation of a traffic signal to accommodate pedestrians crossing to and from the park;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council hereby approves the layout for the construction and installation of a pedestrian refuge island with appropriate Americans with Disabilities Act (ADA) compliant pedestrian ramps and a new permanent traffic signal at the approximate midblock location of 26th Ave S between E Franklin Ave and S 9th St, as further set forth in Legislative File No. 2019-00983.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The WAYS & MEANS Committee submitted the following report:

COUNCIL ACTION 2019A-0751

The Minneapolis City Council hereby approves the settlement of the claim of Yeeyaj Thao by payment of \$3,000 to Chiengla Thao as father and natural guardian of Yeeyaj Thao, and his attorneys, for alleged personal injuries associated with a collision with a squad car on Jan 22, 2014, in exchange for a full and complete release of all claims associated with that collision, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0752

The Minneapolis City Council hereby:

1. Authorizes extensions to Contract C-38807 with Galliard Capital Management and Contract C-8810 with RBC Global Asset Management for a three-month period through Dec 31, 2019, for investment management services.
2. Authorizes contracts with RBC Global Asset Management, in an amount up to \$215,000 per year; Government Portfolio Advisors (GPA), in an amount up to \$157,500 per year; T. Rose & Associates, in an amount up to \$50,000 per year; and Galliard Capital Management, Inc., in an amount up to \$110,000 per year, for investment management services from Oct 1, 2019, through Sept 30, 2022, with an option to extend the contracts on an annual basis for two additional years.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

COUNCIL ACTION 2019A-0753

The Minneapolis City Council hereby authorizes an increase to Contract C-38971 with Lifeworks Services, Inc., in the amount of \$90,000 for a total amount not to exceed \$140,000, and an extension through Dec 31, 2024, for courier services for the Document Solutions Center.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0754

The Minneapolis City Council hereby authorizes a lease agreement with the State of Minnesota for the continued operation of existing air quality monitoring stations at the City of Lakes Building and Fire Station No. 20.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)
Absent: Johnson (1)
Adopted.

COUNCIL ACTION 2019A-0755

The Minneapolis City Council hereby authorizes a five-year agreement with Be Graceful Bakery and Catering, LLC for concessionaire services for the Public Service Building.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)
Absent: Johnson (1)
Adopted.

COUNCIL ACTION 2019A-0756

The Minneapolis City Council hereby authorizes an agreement with the Red Lake Band of Chippewa Indians (RLBC), in the amount of \$180,000, for the sale of three Sprung structures to the RLBC.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)
Absent: Johnson (1)
Adopted.

COUNCIL ACTION 2019A-0757

The Minneapolis City Council hereby authorizes the acceptance of the sole bid of Meisinger Construction Company, Inc., submitted on Event No. 407, in the amount of \$856,400 to include the Base Bid, Alternate 2, and Alternate 6, to provide all materials, labor, equipment, and incidentals necessary for the Americans with Disabilities Act and All Gender Restroom (ADA/AGR) Improvements Project at multiple facilities, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)
Absent: Johnson (1)
Adopted.

On behalf of the Ways & Means Committee, Warsame offered Resolution 2019R-265 accepting a donation in the amount of \$50,000 from Kelly Doran to assist the city in allowing Minneapolis 911 response officers and others to carry Narcan.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-265

By Warsame

Accepting a donation in the amount of \$50,000 from Kelly Doran to assist the city in allowing Minneapolis 911 response officers and others to carry Narcan.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes, Section 465.03, for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes, Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

Name of Donor - Kelly Doran

Gift - Monetary donation in the amount of \$50,000

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in allowing Minneapolis 911 response officers and others to carry Narcan, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are hereby accepted and shall be used for the Minneapolis 911 response officers and others to carry Narcan.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0758

The Minneapolis City Council hereby authorizes an increase to Contract COM0000522 with the Downtown Improvement District (DID), in the amount of \$25,000 for a total amount not to exceed \$75,000, for policing in downtown Minneapolis through Dec 31, 2019.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

COUNCIL ACTION 2019A-0759

The Minneapolis City Council hereby authorizes an increase to Contract C-39155 with Meet Minneapolis, in an amount not to exceed \$11,650,000 per year, and an extension through Dec 31, 2024, for sales and marketing of the Minneapolis Convention Center and convention and tourism services for the City, in accordance with the terms set forth in the Minneapolis Convention Center and Meet Minneapolis 2020-2024 Contract Term Sheet.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The ZONING & PLANNING Committee submitted the following report:

COUNCIL ACTION 2019A-0760

The Minneapolis City Council hereby approves the Council appointment of Adam Hutchens to the Zoning Board of Adjustment, Seat 4, Ward 5, for a three-year term beginning Jan 1, 2019, and ending Dec 31, 2021.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0761

The Minneapolis City Council hereby grants an appeal submitted by Larkin Hoffman, on behalf of Jon Nichols, regarding the decision of the Zoning Board of Adjustment denying a variance (PLAN9096) to allow a curb cut for a property served by an alley for the property located at 5420 Colfax Ave S, and adopts Findings of Fact as submitted by the City Attorney's Office.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Palmisano (11)

Noes: Schroeder (1)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0762

The Minneapolis City Council hereby grants an appeal submitted by Tim and Amy Eian regarding the decision of the Zoning Board of Adjustment denying a variance (PLAN9155) to reduce the required front yard setback to 21.9 feet for a carport for the property located at 3406 Benjamin Street NE, and adopts Findings of Fact as submitted by the City Attorney's Office.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0763

The Minneapolis City Council hereby:

1. Approves an application submitted by Solomon's Porch to rezone (PLAN9115) the property located at 100 W 46th St from the R1A Single-family District to the OR2 High Density Office Residence District to retain uses within the building, specifically a yoga studio and an acupuncture office.
2. Passage of Ordinance 2019-039 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2019-039

By Schroeder

Intro & 1st Reading: 1/8/2018

Ref to: ZP

2nd Reading: 9/13/2019

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land, pursuant to MS 462.357:

Lots 7 and 8, Block 15, PLEASANT PARK ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota (100 West 46th Street – Plate #31) to the OR2, High-density Office Residence district.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

COUNCIL ACTION 2019A-0764

The Minneapolis City Council hereby:

1. Approves an application submitted by Dancing Bear Chocolate to rezone (PLAN9333) the property located at 4367 Thomas Ave N from the OR1 Neighborhood Office Residence District to the C1 Neighborhood Commercial District to establish a limited production and processing use.
2. Passage of Ordinance 2019-040 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2019-040

By Schroeder

Intro & 1st Reading: 1/8/2018

Ref to: ZP

2nd Reading: 9/13/2019

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land, pursuant to MS 462.357:

N 38 ft and that part of the S 3 ft Lying W of E 97 33/100 ft of Lot 1, Block 4, Howe's Hyland Homes Addition to Minneapolis, Hennepin County, Minnesota (4367 Thomas Avenue N – Plate #3) to the C1 Neighborhood Commercial District.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

Approved by Mayor Jacob Frey 9/16/2019.

(Published 9/17/2019)

COUNCIL ACTION 2019A-0765

The Minneapolis City Council hereby:

1. Approves an application submitted by the City of Minneapolis Public Works Department to vacate (Vac-1709) a portion of 7th St N between Glenwood Ave N and 2nd Ave N.
2. Passage of Resolution 2019R-266 vacating a portion of 7th St N between Glenwood Ave N and 2nd Ave N (Vac-1709).

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-266

By Schroeder

Vacating a portion of 7th Street North between Glenwood Avenue North and 2nd Avenue North (Vacation File No. 1709).

Resolved by the City Council of the City of Minneapolis:

That portion of 7th Street North described as follows:

That part of Tract B, REGISTERED LAND SURVEY NO. 1662, Hennepin County, Minnesota, which lies northwesterly and northeasterly of the following described line: commencing at the most easterly corner of said Tract B; thence North 83 degrees 02 minutes 21 seconds West, assumed bearing along the southerly line of said Tract B, 83.58 feet; thence North 07 degrees 23 minutes 10 seconds East, 22.82 feet to the northeasterly line of said Tract B, also being the point of beginning of the line to be described; thence South 86 degrees 29 minutes 12 seconds West, 53.41 feet; thence North 45 degrees 41 minutes 49 seconds West, 84.18 feet; thence North 00 degrees 54 minutes 37 seconds West, 82.13 feet, more or less, to the northeasterly line of said Tract B, and there terminating is hereby vacated.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (12)

Noes: (0)

Absent: Johnson (1)

Adopted.

REPORTS OF SPECIAL COMMITTEES

The EXECUTIVE Committee submitted the following report:

Jenkins moved to refer to the Ways & Means Committee a collective bargaining agreement with the Fire Chiefs Unit, and the accompanying Executive Summary, for the period January 1, 2019, through December 31, 2021.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (11)

Noes: (0)

Absent: Warsame, Johnson (2)

Adopted.

Jenkins moved to refer to the Ways & Means Committee a collective bargaining agreement with the Professional Engineers Unit, and the accompanying Executive Summary, for the period January 1, 2018, through December 31, 2019.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (11)

Noes: (0)

Absent: Warsame, Johnson (2)

Adopted.

NOTICE OF ORDINANCE INTRODUCTIONS

Bender and Schroeder gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations related to inclusionary zoning:

1. Chapter 520 Introductory Provisions.
2. Chapter 525 Administration and Enforcement.
3. Chapter 530 Site Plan Review.
4. Chapter 535 Regulations of General Applicability.

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 3 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection, adding thereto a new Chapter 45 entitled Environmental Program Fees to centrally locate existing environmental fees, and amending various provisions to reference the new chapter, update to ensure compliance with state law changes, and for accuracy and clarity:

1. Chapter 45 Environmental Program Fees.
2. Chapter 46 Hazardous and Industrial Waste Generation, Handling, Storage and Disposal.
3. Chapter 48 Minneapolis Watershed Management Authority.
4. Chapter 50 Minneapolis Waste Control and Waste Discharge Rules.
5. Chapter 52 Erosion and Sediment Control and Discharge.
6. Chapter 59 Construction Activities.

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 15, Chapter 389 of the Minneapolis Code of Ordinances relating to Offenses--Miscellaneous: Noise, amending provisions to reference proper location of fees for existing permit types within the Code.

RESOLUTIONS

Resolution 2019R-267 commemorating Latino Heritage Month was adopted.

Absent: Warsame, Johnson

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-267

**By Cano, Bender, Reich, Gordon, Fletcher, Cunningham, Ellison
Warsame, Goodman, Jenkins, Schroeder, Johnson, and Palmisano**

Commemorating Latino Heritage Month.

Whereas, from September 15 to October 15 the United States celebrates Latino Heritage Month; and

Whereas, September 15 marks the anniversary of independence for several Latin American countries including Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua with Mexico commemorating its independence on September 16 and Chile on September 18; and

Whereas, Latino Heritage Month is a time to learn about both the resiliency of this vibrant American community and the oppression it has survived in acts of colonization, state-sanctioned lynchings, and forcible removal; and

Whereas, the United States is home to 58.9 million Latinos, making it the largest ethnic and racial community in the country; and

Whereas, there are more than 44,000 Latinos who live in Minneapolis who have helped to keep our schools open, bring rich arts and cultural practices to our city, and have revitalized important commercial corridors like Lake Street, Nicollet, and Central Avenues; and

Whereas, out of the City's total workforce only 4% are Latinos; Latino Heritage Month presents us with a call to action to increase the number of Latino employees at the City in order to reach our racial equity goals; and

Whereas, the City of Minneapolis established ¡Somos!, the Latino employee resource group to recruit, retain, and promote more Latino employees at the City; and

Whereas, this month allows us to reflect on the future of our city and the significant role that Latino residents will play in growing Minneapolis and the contributions that Latinos have had, and will have, on our city's innovation, cultural assets, and identity; and

Whereas, we acknowledge the deep hardships the Latino community is facing most recently displayed through the mass shooting in El Paso, Texas which specifically targeted Latino families and promoted white supremacy; and

Whereas, we stand in solidarity with the victims and the survivors of the El Paso hate-crime, and we stand in solidarity with the millions of undocumented immigrant families whose infants and children have been torn away from the care and love of their parents, unjustly and inhumanely incarcerated in concentration camps on the southern border; and

Whereas, we soundly reject these acts of persecution and the ideologies of hate and fear, and we assert that we will welcome, embrace, and are proud of our Latino community; and

Whereas, honoring Latino Heritage Month is one way we can show our commitment to work toward positive change to stop the hate, discrimination, and oppression of the Latino community;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we commemorate Latino Heritage Month in order to protect and uplift the voice, vision, and contributions brought forward by Latinos throughout Minneapolis, the United States, and the world.

Resolution 2019R-268 honoring Nuria Rivera-Vandermyde for her service to the City of Minneapolis was adopted.

Absent: Warsame, Johnson

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-268

**By Bender, Reich, Gordon, Fletcher, Cunningham, Ellison
Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, and Palmisano**

Honoring Nuria Rivera-Vandermyde for her service to the City of Minneapolis.

Whereas, Nuria Rivera-Vandermyde has dedicated over six years of full time service to the City and people of Minneapolis, and during her tenure she has served as the Director of Regulatory Services, the Deputy City Coordinator and, currently, the City Coordinator; and

Whereas, Ms. Rivera-Vandermyde's legacy shows her enduring commitment to the public and employee good, moving policy and procedures forward which advance the good of the City; and

Whereas, Ms. Rivera-Vandermyde led the City through a number of visionary policy reforms both internal and external, and improved the lives of residents and City staff; and

Whereas, through her work as Director of Regulatory Services, Ms. Rivera-Vandermyde provided consistent and thoughtful leadership by establishing solid departmental infrastructure, the utilization of data to drive the departments' work, and developing innovative processes that continue to this day to protect and better serve the residents of Minneapolis; and

Whereas, through her work as the Deputy City Coordinator, Ms. Rivera-Vandermyde reinforced and expanded the collaborative nature and trust between the Coordinator’s office and City Council, oversaw the foundational development of policies that advanced the City’s commitment to economic development and fiscal protections for historically marginalized communities and the vulnerable; and

Whereas, through her work as the City Coordinator, Ms. Rivera-Vandermyde built on her work as Deputy in creating cross-functional and multi jurisdiction collaboration, leading the City safely through multiple major events, supporting and leading staff across ten departments and in her office, as well as playing a lead role in responding to a homeless encampment and safe transitions for the City’s homeless and unsheltered; and

Whereas, Ms. Rivera-Vandermyde was instrumental in measures and actions to progress the City’s diverse spend and workforce diversity, especially in building and maintaining the City’s first Employee Resource Groups to provide identity-based support for City staff, as well as leading as the Executive Sponsor for WOMEN and ¡Somos!; and

Whereas, Ms. Rivera-Vandermyde brought to her colleagues and friends an orientation toward performance-driven work, an ability to make change even when difficult, a keen sense of humor, a love of family, friends and food, and a consistent declaration of her “data-geekiness”; and

Whereas, Ms. Rivera-Vandermyde’s public service contributions to the staff and people of Minneapolis will be deeply missed; and

Whereas, the people of Austin, Texas are fortunate beyond compare to gain the passion and expertise of Ms. Rivera-Vandermyde;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the Mayor and City Council hereby commend Nuria Rivera-Vandermyde for her dedication and exemplary service to the City of Minneapolis, presented with deep gratitude and appreciation by the Mayor and Council Members for her for her outstanding commitment to the City.

Be It Further Resolved that the Mayor and City Council congratulate Nuria Rivera-Vandermyde for her many significant accomplishments and wish her much happiness and fulfillment in her new role as Deputy City Manager in Austin, Texas.

Resolution 2019R-269 declaring September 20-29, 2019, to be 10 Days Free from Violence in the City of Minneapolis was adopted.

Absent: Warsame, Johnson

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-269
By Gordon

Declaring September 20-29, 2019, to be 10 Days Free from Violence in Minneapolis.

Whereas, violence is a persistent problem in Minneapolis; and

Whereas, safety and violence prevention have been long term priorities for Minneapolis residents and elected officials; and

Whereas, the Minneapolis City Council adopted a resolution in 2006 Recognizing Youth Violence as a Public Health Problem and Establishing a Youth Violence Prevention Steering Committee; and

Whereas, Minneapolis adopted the Blueprint for Action to Prevent Youth Violence in 2013; and

Whereas, the City of Minneapolis youth violence prevention initiative has had a number of tangible successes, from engagement for youth who exhibited signs of at-risk behavior for violence, to expanded summer hours at parks; and

Whereas, the City of Minneapolis has established a Violence Prevention Steering Committee to replace the Youth Violence Prevention Steering Committee to serve as an advisory board to the City Council to advise the Council and Mayor on all matters related to violence reduction and prevention in Minneapolis and oversee the City's comprehensive violence prevention strategic plan and its implementation; and

Whereas, Twin Cities Nonviolent is coordinating *10 Days Free from Violence*, a series of more than forty events across the Twin Cities presented by more than twenty Twin Cities based individuals and organizations, beginning on September 20 and continuing through September 29, 2019; and

Whereas, the purpose of *10 Days Free from Violence* is to increase awareness of best-practices for violence prevention in the Twin Cities and to foster an environment where such practices can have a multiplicative impact in decreasing violence in the Twin Cities; and

Whereas, Twin Cities Nonviolent project seeks to reduce violence in all its forms, increase awareness and engagement in nonviolent policies and practices, bring together local community organizations, including nonprofits, religious institutions, educational institutions, and government agencies, and dismantle the structures and systems that lead to violence throughout the Twin Cities and beyond; and

Whereas, a list of *10 Days Free from Violence* events can be found at <https://twincitiesnonviolent.org>;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis hereby joins the *10 Days Free from Violence* movement, and declares September 20-29, 2019, to be 10 Days Free from Violence in Minneapolis.

UNFINISHED BUSINESS

Palmisano moved approval of Resolution 2019R-270 establishing the Futuro Latino Empowerment Commission.

RESOLUTION 2019R-270

By Cano

Establishing the Futuro Latino Empowerment Commission.

Whereas, the United States is home to 58.9 million Latinos, making it the largest ethnic and racial community in the country; and

Whereas, the U.S. Latino population is a contributing force to American democracy as the major projected minority group to be represented in the 2020 electorate; and

Whereas, Minnesota is home to more than 284,000 Latinos, where 1 out of every 20 residents in our state identify as Latino, and where in the year 2035 the Latino community is anticipated to make up 9% of the total Minnesota population making it the largest ethnic and racial group in the state; and

Whereas, Minneapolis is home to more than 44,000 Latinos who have helped to keep our schools open, bring rich arts and cultural practices to our city, and have revitalized important commercial corridors like Lake Street and Central Avenue; and

Whereas, today, Latino families across the country face significant challenges as experienced by the recent mass shooting targeting Latino residents in El Paso, Texas, and the 680 immigrant low-wage workers who were detained by Immigration and Customs Enforcement in Mississippi; and

Whereas, the voice, spirit, and vision of Minneapolis Latino residents is needed now more than ever to guide local policies, budget, and priorities that empower and engage Latino people;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Resolution 1999R-443 which established the Latino Community Advisory Committee to the Mayor and the City Council, as passed December 17, 1999, and as amended by Resolutions 2003R-141 and 2010R-148, is hereby rescinded.

That the Futuro Latino Empowerment Commission is hereby constituted and established to advise the Mayor, City Council, and City Departments on City policies, practices, budget, and other matters that it determines to be appropriate related to addressing the issues and needs of the Latino community, both within the City enterprise as well as Minneapolis as a whole. The Futuro Latino Empowerment Commission shall operate according to the following structure:

1. Number of members: 20 members reflective of the racial, ethnic, linguistic, gender, age, immigration status, and economic diversity of the Latino community in Minneapolis.
2. Term Length: Two years.
3. Term Limit: Three terms.
4. Staggered Terms: Yes, initial terms shall be staggered to achieve an overlap in membership such that no more than half the total number of appointed seats are set to expire at the same time.

5. Compensation: If resources are available, participant stipends may be provided for voting members. Travel costs to meetings will include cost of reimbursement for metro passes or parking validation at approved facilities.
6. Open appointment process: Appointments to the Futuro Latino Empowerment Commission shall be subject to the City's Open Appointments Policy and Procedures, pursuant to Minneapolis Code of Ordinances, Section 14.180.
7. Public hearings held for appointees: No.
8. Residency requirement: The 17 voting members must live in Minneapolis pursuant to Minneapolis Code of Ordinances, Section 14.180. Residency requirements may be waived for the 3 non-voting members.
9. Membership structure: 17 voting members (4 of whom should be youth ambassador seats) and 3 non-voting members as follows:
 1. 13 voting members appointed by the City Council, one per ward, to be approved by the full City Council.
 2. 2 voting members appointed by the Mayor, with approval by the City Council.
 3. 2 voting members who reside in city neighborhoods having the highest Latino population, who will be recommended by the Neighborhood and Community Relations Department, with approval by the City Council.
 4. 1 non-voting member seat for a representative from ¡SOMOS!, the City's Latino Resource Employee Group.
 5. 2 non-voting members representing other government jurisdictions including consular bodies, school entities, Minneapolis Park & Recreation Board, or other institutions that can help advance the agenda of the Futuro Latino Empowerment Commission, who will be recommended by the Neighborhood and Community Relations Department, with approval by the City Council.
10. Supporting department: Neighborhood and Community Relations.
11. Reporting requirements: The Futuro Latino Empowerment Commission will develop a Latino agenda for the City of Minneapolis that focuses on, but not be limited to: securing more access to affordable housing; promoting economic development and Cultural Districts; protecting immigrant communities and workers; providing safety to Latino residents; advancing environmental justice; and advocating for equitable transportation. The Futuro Latino Empowerment Commission will advise the Mayor and City Council on the program, policy, budget, and priorities that can advance the Latino Agenda and can benefit the Latino community. The Futuro Latino Empowerment Commission will present annually to the Committee of the Whole to report on the City's progress towards addressing the issues and needs of the Latino community.
12. Selection of officers: A Chair and a Vice Chair, and any other officers, shall be selected annually by the 17 voting members.
13. Open meetings: Meetings shall be open to the public, subject to the requirements of the Minnesota Open Meeting Law.

Be It Further Resolved that the Futuro Latino Empowerment Commission shall, at a minimum, convene every other month during a regularly scheduled, standing meeting. The Futuro Latino Empowerment Commission may establish workgroups that efficiently advance and inform the creation of the Latino Agenda.

Be It Further Resolved that the Futuro Latino Empowerment Commission will establish a structure for involving and supporting Youth Ambassadors to serve on the Futuro Latino Empowerment Commission which will include, but not be limited to: securing training on how to work with youth; enlisting the expertise of a youth-worker who can provide on-going support to the Youth Ambassadors; and pairing Youth Ambassadors with adult mentors who serve on the Commission.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Palmisano (11)

Noes: (0)

Absent: Warsame, Johnson (2)

Adopted.

ADJOURNMENT

On motion by Jenkins, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the litigation matter of Keith Daniel v. City of Minneapolis.

ADJOURNED SESSION

Council President Bender called the adjourned session to order at 11:36 a.m. in Room 315, a quorum being present.

City Attorney Susan Segal stated that the meeting may be closed as permitted by the attorney-client privilege under the Minnesota Open Meeting Law to discuss attorney-client communications.

At 11:38 a.m., on motion by Gordon, the meeting was closed pursuant to Minnesota Statutes Section 13D.05, Subdivision 3(b) to discuss the litigation matter of Keith Daniel v. City of Minneapolis.

Present - Council Members Kevin Reich, Cam Gordon, Steve Fletcher, Phillipe Cunningham, Jeremiah Ellison, Lisa Goodman, Andrea Jenkins, Jeremy Schroeder, Linea Palmisano, President Lisa Bender.

Absent – Council Members Abdi Warsame, Alondra Cano, Andrew Johnson.

Also Present - Susan Segal, City Attorney; Assistant City Attorneys Sarah McLaren and Sharda Enslin, City Attorney's Office; Gia Vitali, Mayor's Chief of Staff; Chief John Fruetel, Fire Department; Jackie Hanson, Assistant City Clerk; and Peggy Menshek, City Clerk's Office.

McLaren summarized the Keith Daniel v City of Minneapolis lawsuit from 11:38 a.m. to 12:04 p.m.

At 12:04 p.m., on motion by Gordon, the meeting was opened.

Gordon moved that all claims against the City of Minneapolis, including claims for attorneys' fees and costs, asserted in *Keith Daniel v. City of Minneapolis*, Hennepin County District Court File No. 27-CV-16-700, be settled in the amount of \$350,000, payable to Keith Daniel and his attorneys, from Fund/Org 6900 150 1500 145280; and to authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Gordon, Goodman, Bender, Schroeder (4)

Noes: Reich, Fletcher, Cunningham, Ellison, Jenkins, Palmisano (6)

Absent: Warsame, Cano, Johnson (3)

The motion failed and no action was taken.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

By unanimous consent, the meeting was adjourned at 12:04 p.m.

Jackie Hanson,
Assistant City Clerk